

Brian T. Rekofke
Ross P. White
Witherspoon, Kelley, Davenport & Toole
1100 US Bank Building
422 West Riverside
Spokane, WA 99201
(509) 624-5265

Attorneys for The Church of Jesus Christ of
Latter-day Saints and Donald C. Fossum

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WASHINGTON**

THOMAS A. WAITE,

Plaintiff,

VS.

THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS d/b/a CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation, d/b/a CORPORATION OF THE PRESIDENT OF THE CHURCH OF JESUS CHRIST OF LATTER DAY SAINTS, a Utah corporation; DONALD C. FOSSUM; and STEVEN D. BRODHEAD,

Defendants.

Case No.: CV-05-399-EFS

**AFFIDAVIT OF ROSS P.
WHITE**

STATE OF WASHINGTON }
County of Spokane } ss.

ROSS P. WHITE, being first duly sworn, upon oath, deposes and says:

1. I am one of the attorneys for the Church defendant and Donald Fossum, and make this Affidavit on personal knowledge.

2. Attached hereto as Exhibits A and B are excerpts from the deposition of Thomas Waite, taken on October 17, 2006.

3. Attached hereto as Exhibit C are excerpts from the deposition of Kevin Ludlow, taken on November 10, 2006.

AFFIDAVIT OF ROSS P. WHITE - 1

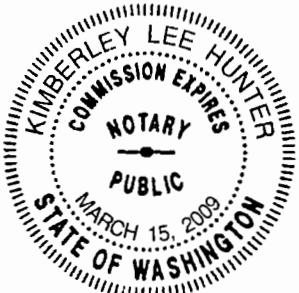
G:\C\Church of Jesus Christ [4061]\Waite 3\Pleadings\Waite, MSI\AFF of RPW wpd:ks

WTITHERSPOON, KELLEY, DAVENPORT & TOOKE
A PROFESSIONAL SERVICE CORPORATION
ATTORNEYS & COUNSELORS
1100 U.S. BANK BUILDING
422 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

4. Attached hereto as Exhibits D and E are excerpts from the deposition of Steven D. Brodhead, taken on December 11, 2006.

ROSS P. WHITE

SUBSCRIBED AND SWORN to before me this 14 day of February,
2007.



Print Name: John Doe
NOTARY PUBLIC in and for the State
of Washington, residing in Spokane
My Commission expires: 3/15/09

AFFIDAVIT OF ROSS P. WHITE - 2

G:\C\Church of Jesus Christ 14061\Waite 3\Pleadings\Waite MSJ\AFF of RPW.wpd:ks

WITHERSPOON, KELLEY, DAVENPORT & TOOKE
A PROFESSIONAL SERVICE CORPORATION
ATTORNEYS & COUNSELORS
1100 U.S. BANK BUILDING
422 WEST RIVERSIDE AVENUE
SPOKANE, WASHINGTON 99201-0302
(509) 624-5265

CERTIFICATE OF SERVICE

I hereby certify that on the 12th day of February, 2007:

1. I electronically filed the foregoing **AFFIDAVIT OF ROSS P. WHITE** with the Clerk of the Court using the CM/ECF System which will send notification of such filing to the following:
(for Waite) Richard C. Eymann and Stephen L. Nordstrom;
(for Brodhead) Andrew C. Smythe
 2. I hereby certify that I have mailed by United States Postal Service the document to the following non-CM/ECF participants at the address listed below: **None**.
 3. I hereby certify that I have hand delivered the document to the following participants at the addresses listed below: **None**

~~Ross P. White~~
Witherspoon, Kelley, Davenport & Toole, P.S.
422 W. Riverside Ave., #1100
Spokane, WA 99201-0300
Phone: 509-624-5265
Fax: 509-478-2728
rpw@wkdtlaw.com